

#5/TDS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hogenkamp *et al.*

Appl. No. 09/814,123

Filed: March 22, 2001

For: **Aryl Substituted Pyrazoles,  
Triazoles and Tetrazoles, and  
the Use Thereof**

Confirmation No. 2060

Art Unit: 1626

Examiner: Shameem, G.

Atty. Docket: 1861.1270001/JMC/THN

**Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AL1 and AL2 cited on Form PTO 1449:

Document AL1, German Patent No. DE 19 36 760 is in the German language. An English language abstract of document AL1 is attached as document AT15.

Document AM1, German Patent No. DE 29 10 330 A1 is in the German language. An English language abstract of document AM1 is attached as document AR16.

Document AL3, Japanese Patent No. JP 11 199566 A is in the Japanese language. An English language abstract of document AL3 is attached as document AS16.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our Check No. 33531 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Attorney for Applicants  
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Date: Dec. 13, 2001

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			ATTY. DOCKET NO. 1861.1270001/JMC/THN	APPLICATION NO. 09/814,123			
			APPLICANT Hogenkamp et al.				
			FILING DATE March 22, 2001	GROUP 1626			
<u>INFORMATION DISCLOSURE STATEMENT</u>							

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA1		3,049,438	08/14/1962	Buell and Long	117	33.5	11/03/1958
AB1		3,058,989	10/16/1962	Buell and Long	260	296	11/26/1957
AC1		4,072,498	02/07/1978	Noon et al.	71	92	05/14/1976
AD1		4,394,514	07/19/1983	Kruse, L.I.	548	508	06/29/1981
AE1		4,454,337	06/12/1984	Kruse, L.I.	560	22	03/02/1983
AF1		4,639,266	01/27/1987	Heubach et al.	71	92	09/09/1985
AG1		4,962,011	10/09/1990	Aldag et al.	430	281	05/17/1988
AH1		5,134,142	07/28/1992	Matsuo et al.	514	255	09/14/1990
AI1		5,670,533	09/23/1997	Matsuo et al.	514	106	12/28/1995
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## FOREIGN PATENT DOCUMENTS

XAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL1		DE 19 36 760	01/22/1970	Germany			Abstract Yes No
AM1		DE 29 10 330 A1	10/02/1980	Germany			Abstract Yes No
AN1		GB 2 105 327 A	03/23/1983	Great Britain			Yes No
AO1		EP 0 273 528 A1	07/06/1988	Europe			Yes No
AP1		EP 0 323 841 A2	07/12/1989	Europe			Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Arient, J. and Dvořák, J., "Triphenylmethane dyes. II. Introduction of the triazole group into the triphenylmethane skeleton," <i>Chem. Abstracts</i> 52:Abstract No. 12401i, The American Chemical Society (1958).
AS	1	Baud, J., et al., "CGP 31358 binds to a site on the NNDA receptor that is coupled to both the transmitter recognition site and the channel domain," <i>Neurosci. Lett.</i> 107:184-188, Elsevier Scientific Publishers Ireland Ltd. (1989).
AT	1	Bensimon, G., et al., "A Controlled Trial of Riluzole in Amyotrophic Lateral Sclerosis," <i>New Eng. J. Med.</i> 330:585-591, Massachusetts Medical Society (1994).

XAMINER	DATE CONSIDERED
XAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

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Rev. 1/95

FORM PTO-1449

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XAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL2	EP 0 323 841 A3	09/12/1990	Europe			Yes No
AM2	EP 0 488 959 A2	06/03/1992	Europe			Yes No
AN2	EP 0 323 841 B1	08/04/1993	Europe			Yes No
A02	WO 96/11911	04/25/1996	WIPO			Yes No
AP2	WO 97/07102	02/27/1997	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Brown, J.B. and Stammers, D.W., "Yellow color images by silver and dye bleaching," <i>Chem. Abstracts</i> 57:Abstract No. 12673d, The American Chemical Society (1962).
AS	2	Brown, C.M., et al., "Neuroprotective properties of lifarizine compared with those of other agents in a mouse model of focal cerebral ischaemia," <i>Br. J. Pharmacol.</i> 115:1425-1432, Stockton Press (August 1995).
AT	2	Buchan, A.M., et al., "AMPA Antagonists: Do They Hold More Promise for Clinical Stroke Trials Than NMDA Antagonists," <i>Suppl. J. Stroke</i> 24:148-152, Lippincott Williams and Wilkins (1993).

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XAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL3	JP 11 199566 A	07/27/1999	Japan			Abstract Yes No
AN3	WO 99/62885	12/09/1999	WIPO			Yes No
AN3	WO 00/57877	10/05/2000	WIPO			Yes No
AO3	EP 1 081 146 A1	03/07/2001	Europe			Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	3	Catterall, W.A., "Structure and Function of Voltage-Sensitive Ion Channels," <i>Science</i> 242:50-61, American Association for the Advancement of Science (1988).
AS	3	Catterall, W.A., "Neurotoxins That Act on Voltage-Sensitive Sodium Channels in Excitable Membranes," <i>Ann. Rev. Pharmacol. Toxicol.</i> 20:15-43, Annual Reviews Inc. (1980).
AT	3	Catterall, W.A., "Common modes of drug action on Na <sup>+</sup> channels: local anesthetics, antiarrhythmics and anticonvulsants," <i>Trends Pharmacol. Sci.</i> 8:57-65, Elsevier Science Publishers B.V. (1987).

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AL						Yes No
AM						Yes No
AN						Yes No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	4	Cocco, M.T., et al., "Phytotoxic Activity in Pyrazole Derivatives II," <i>Il Farmaco Ed. Sc.</i> 40:272-284, Societa Italiana Di Scienze Farmaceutiche (1985).
AS	4	Creveling, C.R., et al., "Batrachotoxin-Induced Depolarization and [ <sup>3</sup> H] Batrachotoxinin-A 20 $\alpha$ -Benzoate Binding in a Vesicular Preparation from Guinea Pig Cerebral Cortex," <i>Mol. Pharmacol.</i> 23:350-358, The American Society for Pharmacology and Experimental Therapeutics (1983).
AT	4	Dal Monte, D. and Veggetti, P., "Derivatives of pyrazolone and pyrazolyl carbamates," <i>Chem. Abstracts</i> 53:Abstract No. 8122f, The American Chemical Society (1959).

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AR	5	Denicoff, K.D., et al., "Efficacy of Carbamazepine Compared With Other Agents: A Clinical Practice Survey," <i>J. Clin. Psychiatry</i> 55:70-76, Physicians' Postgraduate Press, Inc. (1994).
AS	5	Dimmock, J.R., et al., "Evaluation of the thiosemicarbazones of some aryl alkyl ketones and related compounds for anticonvulsant activities," <i>Eur. J. Med. Chem.</i> 26:529-534, Elsevier Science (1991).
AT	5	Donaldson, I., "Tegretol: A double blind trial in tinnitus," <i>J. Laryngol. Otol.</i> 95:947-951, Royal Society of Medicine Press (1981).

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AL						Yes No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	6	Filer, C.N., "Chapter 6, The Preparation and Characterization of Tritiated Neurochemicals," In: Isotopes in the Physical and Biomedical Sciences, Volume 1, Labelled Compounds (Part A), Bunzel, E. and Jones, J.R. eds., pp.156-192, Elsevier Science Publishers B.V. (1987).
AS	6	J.R. Geigy A.-G., "Diazo dyes," Chem. Abstracts 60:Abstract No. 12144b, The American Chemical Society (1964).
AT	6	Graham, S.H., et al., "Neuroprotective Effects of a Use-Dependent Blocker of Voltage-Dependent Sodium Channels, BW619C89, in Rat Middle Cerebral Artery Occlusion," J. Pharmacol. Exp. Ther. 269:854-859, The American Society for Pharmacology and Experimental Therapeutics (1994).

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	Z	Graham, S.H., et al., "A Dose-Response Study of Neuroprotection Using the AMPA Antagonist NBQX in Rat Focal Cerebral Ischemia," <i>J. Pharmacol. Exp. Ther.</i> 276:1-4, The American Society for Pharmacology and Experimental Therapeutics (1996).
AS	Z	Hamill, O.P., et al., "Improved Patch-Clamp Techniques for High-Resolution Current Recording from Cells and Cell-Free Membrane Patches," <i>Pflügers Arch.</i> 391:85-100, Springer-Verlag (1981).
AT	Z	Hunskaar, S. et al., "Formalin test in mice, a useful technique for evaluating mild analgesics," <i>J. Neurosci. Methods</i> 14:69-76, Elsevier Science Publishers B.V.(1985).

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AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>B</u>	Iwasaki, Y., et al., "CNQX prevents spinal motor neuron death following sciatic nerve transection in newborn rats," <i>J. Neurosci.</i> 134:21-25, Elsevier Science B.V. (1995).
AS	<u>B</u>	Kuo, C.-C. and Bean, B.P., "Slow Binding of Phenytoin to Inactivated Sodium Channels in Rat Hippocampal Neurons," <i>Mol. Pharmacol.</i> 46:716-725, The American Society for Pharmacology and Experimental Therapeutics (1994).
AT	<u>B</u>	Lam, P.Y.S., et al., "New Aryl/Heteroaryl C-N Bond Cross-coupling Reactions via Arylboronic Acid/Cupric Acetate Arylation," <i>Tetrahedron Lett.</i> 39:2941-2944, Elsevier Science Ltd. (1998).

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AL						Yes No
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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	2	Majumdar, B., et al., "An electrocochleographic study of the effects of lignocaine on patients with tinnitus," <i>Clin. Otolaryngol</i> 8:175-180, Blackwell Scientific Publications (1983).
AS	2	Magagnoli, R., "1-(p-Benzoylphenyl)-3-alkyl(or benzamido)-5-pyrazolones as color couplers," <i>Chem. Abstracts</i> 65:Abstract No. 5576g, The American Chemical Society (1966).
AT	2	Möller, A.R., "Similarities Between Chronic Pain and Tinnitus," <i>Am. J. Otol.</i> 18:577-585, Lippincott-Raven Publishers (1997).

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AP						Yes No

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AR	<u>10</u>	Neff, R., "Anilinoanthraquinone dyes," <i>Chem. Abstracts</i> 63:Abstract No. 11745g, The American Chemical Society (1965).
AS	<u>10</u>	Ohizumi, Y., et al., "Specific Inhibition of [ <sup>3</sup> H] Saxitoxin Binding to Skeletal Muscle Sodium Channels by Geographotoxin II, a Polypeptide Channel Blocker," <i>J. Biol. Chem.</i> 261:6149-6152, The American Society of Biological Chemists, Inc. (1986).
AT	<u>10</u>	Pokorný, M. and Hease, J., "Substantive triphenodioxazine dyes containing a naphtho-[1,2-d] triazole nucleus," <i>Chem. Abstracts</i> 55:Abstract No. 7854i, The American Chemical Society (1961).

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AR	<u>11</u>	Polevoi, L.G., et al., "Relation of aminopyrazole structures to their neurotropic activity," retrieved from STN, Database Accession No. 69:1557 CAPLUS, Chemical Abstracts Service (1968).
AS	<u>11</u>	Ragsdale, D.S., et al., "Frequency and Voltage-Dependent Inhibition of Type IIA Na <sup>+</sup> Channels, Expressed in a Mammalian Cell Line, by Local Anesthetic, Antiarrhythmic, and Anticonvulsant Drugs," Mol. Pharmacol. 40:756-765, Williams & Wilkins (1991).
AT	<u>11</u>	Rasavi, D., "Reactive dyes," Chem. Abstracts 59:Abstract 6555g, The American Chemical Society (1963).

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AO						Yes No
AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>12</u>	Sheardown, M.J., et al., "AMPA, but not NMDA, receptor antagonism is neuroprotective in gerbil global ischaemia, even when delayed 24 h," <i>Eur. J. Pharmacol.</i> 236:347-353, Elsevier Science Publishers B.V. (1993).
AS	<u>12</u>	Simpson, J.J., and Davies, W.E., "Recent advances in the pharmacological treatment of tinnitus," <i>Trends Pharmacol. Sci.</i> 20:12-18, Elsevier Science London (1999).
AT	<u>12</u>	Steck, E.A., et al., "Some Guanazole Derivatives," <i>J. Am. Chem. Soc.</i> 80:3929-3931, The American Chemical Society (1958).

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AP						Yes No

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AR	<u>13</u>	Steck, E.A., and Nachod, F.C., "Absorption Spectra of Heterocyclic Compounds. VII. Some 3(2H)-Pyridazones," J. Am. Chem. Soc. 79:4408-4411, The American Chemical Society (1957).
AS	<u>13</u>	Stefanich, G., et al., "Analogues of Bifonazole with Two Imidazole Moieties and Related Azoles," Arch. Pharm. (Weinheim) 323:273-280, VCH Verlagsgesellschaft mbH (1990).
AT	<u>13</u>	Stys, P.K., et al., "Ionic Mechanisms of Anoxic Injury in Mammalian CNS White Matter: Role of Na <sup>+</sup> Channels and Na <sup>+</sup> -Ca <sup>2+</sup> Exchanger," J. Neurosci. 12:430-439, Society for Neuroscience (1992).

EXAMINER	DATE CONSIDERED
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INFORMATION DISCLOSURE STATEMENT

ATTY, DOCKET NO. 1861-1270001/JMC/THN	APPLICATION NO. 09/814,123
APPLICANT Hogenkamp et al.	
FILING DATE March 22, 2001	GROUP 1626

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
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AR	<u>14</u>	Taylor, C.P., and Heldrum, B.S., "Na' channels as targets for neuroprotective drugs," <i>Trends Pharmacol. Sci.</i> 16:309-316, Elsevier Trends Journals (1995).
AS	<u>14</u>	Tonndorf, J., "The analogy between tinnitus and pain: A suggestion for a physiological basis of chronic tinnitus," <i>Hear Res.</i> 28:271-275, Elsevier Science Publishers B.V. (1987).
AT	<u>14</u>	Verdoorn, T.A., et al., "Functional Properties of Recombinant Rat GABA <sub>A</sub> Receptors Depend upon Subunit Composition," <i>Neuron</i> 4:919-928, Cell Press (1990).

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## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	<u>15</u>	Wrathall, J.R., et al., "Amelioration of Functional Deficits from Spinal Cord Trauma with Systemically Administered NBQX, an Antagonist of Non-N-methyl-D-aspartate receptors," <i>Exp. Neurol.</i> 137:119-126, Academic Press, Inc. (1996).
AS	<u>15</u>	Zweidler, R. and Keller, E., "Fluorescent ditriazole compounds," <i>Chem. Abstracts</i> 52:Abstract No. 8206c, The American Chemical Society (1958).
AT	<u>15</u>	Dialog File 351, Accession No. 669110, Derwent WPI English Language abstract for DE 19 36 760 (Document A1).

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## FOREIGN PATENT DOCUMENTS

XAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL							Yes No
AM							Yes No
AN							Yes No
AO							Yes No
AP							Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	16	Dialog File 351, Accession No. 2553655, Derwent WPI English language abstract for DE 29 10 330 A1 (Document AM1).
	AS	16	Dialog File 351, Accession No. 12667941, Derwent WPI English Language abstract for JP 11 199566 A (Document AL3).
	AT	16	International Search Report for International Application No. PCT/US 01/08972, mailed September 24, 2001.

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